



- (M) ROCA & SHORTYS 208 COURT AVE C Liquor
- (N) ROYAL FOOD 1443 2ND AVE C Beer
- (O) SOUTH SIDE FOOD MART \*(1) 1101 ARMY POST E Liquor
- (P) THIRSTY SPORTSMAN 4808 SW 9TH ST C Liquor

**OUTDOOR SERVICE AREA**

- (Q) DES MOINES SOCIAL CLUB 901 CHERRY ST C Liquor  
Temporary in conjunction with Food Truck Throw Down on May 12, 2018.
- ~~(R) SAM & GABES 600 E 5TH ST C Liquor  
Permanent.~~

**SPECIAL EVENT APPLICATIONS**

- (S) BUZZARD BILLYS 615 3RD ST Five (5) Day License  
Class C Liquor License for Jimmy Buffett concert on May 22, 2018.
- (T) CELEBRASIAN 2018 1203 LOCUST ST Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for a festival on May 25 – 26, 2018.
- (U) CELEBRASIAN 2018 1307 LOCUST ST Five (5) Day License  
Special Class C Liquor License (Beer/Wine) for a festival on May 25 – 26, 2018.
- ~~(V) MULLETS 1300 SE 1ST ST Five (5) Day License  
Class C Liquor License for Sausage Fest on May 19, 2018. Pending approval of  
Fire and Zoning Departments.~~
- (W) OVATIONS FOOD SERVICES 833 5TH AVE Five (5) Day License  
Class C Liquor License for Jason Aldean Pre-concert Party on May 12, 2018.
- (X) OVATIONS FOOD SERVICES 833 5TH AVE Five (5) Day License  
Class C Liquor License for Jimmy Buffet Pre-concert Party on May 22, 2018.
- (Y) RYAN PAGE 3000 E GRAND AVE Five (5) Day License  
Class C Liquor License for a wedding reception on May 12, 2018.

5. [City](#) Clerk to issue Cigarette/Tobacco/Nicotine/Vapor Permits.

**PUBLIC IMPROVEMENTS**

6. Ordering construction of the following:

- (A) [Tower](#) Park and Sheridan Park Water Playground: Receiving of bids, (5-22-18),  
Setting date of hearing, (6-11-18). Engineer’s estimate, \$492,000.

(Council Communication No. 18-231)

- (B) [Hubbell](#) Avenue and University Avenue Intersection Improvements: Receiving of bids, (5-22-18), Setting date of hearing, (6-11-18). Engineer's estimate, \$187,000.

[\(Council Communication No. 18-229\)](#)

- 7. [Approving](#) Iowa Department of Transportation (IDOT) Agreement for the Des Moines River Trail, Phase 2: SE 22<sup>nd</sup> Street to Easter Lake.

[\(Council Communication No. 18-235\)](#)

- 8. Approving Professional Services Agreement for Design Phase Services for the Des Moines Levee Alterations:

[\(Council Communication No. 18-224\)](#)

- (A) [Phase](#) A with Stantec Consulting Services Inc., not to exceed \$952,300.

- (B) [Phase](#) B with Stantec Consulting Services Inc., not to exceed \$1,363,700.

- (C) [Phase](#) C with Barr Engineering Company, not to exceed \$1,020,800.

- 9. [Approving](#) Professional Services Agreement with Stanley Consultants, Inc. for Preliminary Design Phase Services for 2<sup>nd</sup> Avenue Bridges Rehabilitation, not to exceed \$133,600.

[\(Council Communication No. 18-234\)](#)

- 10. [Communication](#) from contractors requesting permission to sublet certain items on public improvement projects.

- 11. Accepting completed construction and approving final payment for the following:

- (A) [2015](#) Sewer Lining Program, SAK Construction, LLC.

- (B) [MacRae](#) Park Shelter Renovation, Brocon Services, LLC.

## **SPECIAL ASSESSMENTS**

- 12. [Levying](#) assessments for fees, fines, penalties, costs and interest imposed in the enforcement of the Neighborhood Inspection Rental Code, Schedule No. 2018-05.

## LAND/PROPERTY TRANSACTIONS

13. [Releasing](#) subdivision improvement bond for Summersfield Plat 1, in vicinity of E. 46<sup>th</sup> and E. Merced Street.

([Council Communication No. 18-220](#))

## BOARDS/COMMISSIONS/NEIGHBORHOODS

14. [Recommendation](#) from Council Member Joe Gatto to appoint Rachelle Hunt Russian to the Des Moines Civil and Human Rights Commission, Seat 7, for a three-year term commencing April 1, 2017 to April 1, 2020.

## COMMUNICATIONS FROM PLANNING AND ZONING

15. [Regarding](#) request from Nelson Construction Services, LLC (developer) for vacation of subsurface rights within E. 4th Street, Des Moines Street and E. 5th Street to allow the development of adjoining property located at 415 and 421 Des Moines Street.
16. [Regarding](#) approval of a request from Truview Enterprises, Inc. (owner) for an amendment to a major Preliminary Plat “Skyline Plat 1” on properties located at 3343 and 3349 McKinley Avenue, to remove the restriction requiring one drive approach access per two lots fronting McKinley Avenue to allow a separate access for each property at 3343 and 3349 McKinley Avenue. Additional subject property is owned by Priority Excavating, LLC.
17. [Regarding](#) approval of a request from TK Development, LLC (developer) for a major Preliminary Plat “Southwood Estates” on property located at 3800 SW 56th Street, to allow the property to be subdivided into 24 lots for single-family residential dwelling development, and two outlots for future subdivision development, and four lots to be dedicated for street right-of-way.

## SETTING DATE OF HEARINGS

18. [On](#) vacation of a portion of E. 5<sup>th</sup> Street right-of-way located east of and adjoining 440 E. Grand Avenue and conveyance of a permanent easement for building encroachment to RE3, LLC, \$3,960, (5-21-18).
  - (A) [Receive](#) and file communication from the Plan and Zoning Commission.
19. [On](#) vacation and conveyance of the east-west alley right-of-way located north of and adjoining 304 E. Walnut Street to 201 East Locust, LLC, \$21,000, (5-21-18).
  - (A) [Receive](#) and file communication from the Plan and Zoning Commission.

20. [On](#) request from Lockstep, LLC to rezone 1120 26<sup>th</sup> Street from “R1-60” (One-Family Low-Density Residential) to “R-4” (Multiple-Family Residential) to allow use of the property for a three-unit multiple-family dwelling, (5-21-18).
21. On the following Capital Loan Notes:
  - (A) [Authorization](#) of a loan and disbursement agreement, and issuance of not to exceed \$23,500,000 Sewer Revenue Capital Loan Notes, (6-11-18).
  - (B) [On](#) issuance of not to exceed \$71,700,000 Stormwater Management Utility Revenue Capital Loan Notes, (6-11-18).
22. [On](#) request from Penta Partners, LLC regarding an appeal of the Plan and Zoning Commissions decision to approve the “Classic Autoworx Site Improvements” site plan for 2544 Hubbell Avenue, subject to conditions, (5-21-18).

#### **LEGAL DEPARTMENT - CLAIM SETTLEMENTS & BILLINGS**

23. [Approving](#) payment to Lyle Sylvester for a workers’ compensation claim.

#### **APPROVING**

24. [First](#) Amendment to Economic Development Agreement with Kemin Industries, Inc. and Kemin Holdings, LC.

[\(Council Communication No. 18-237\)](#)

25. [First](#) Amendment to Urban Renewal Development Agreement with Janssen Lodging, Inc. for the renovation of the Hotel Fort Des Moines at 1000 Walnut Street and approving Conceptual Development Plan.

[\(Council Communication No. 18-239\)](#)

26. [Conceptual](#) Development Plan for the development of approximately 47 acres, south of the 3800 block of Vandalia Road, which Helena Industries, LLC is purchasing from the City.

[\(Council Communication No. 18-222\)](#)

27. [Communication](#) from Downtown Community Alliance, on behalf of Iowa State University, requesting approval for up to 20 banners to be displayed on 10 poles on Locust Street, June through September 2018.
28. Abatement of public nuisances at the following addresses:
  - (A) [3925](#) 51<sup>st</sup> Street.
  - (B) [1974](#) Indianola Avenue.
  - (C) [4141](#) E. 14<sup>th</sup> Street.
  - (D) [3636](#) Kinsey Avenue.
29. [Release](#) of fire escrow at 1412 6<sup>th</sup> Avenue.
30. [Exception](#) to competitive procurement process and approving agreement with the Iowa Association of Municipal Utilities to provide services relating to safety in the workplace, \$130,000 per year through June 30, 2020 with an option for a 3% annual increase for three one-year renewals.

[\(Council Communication No. 18-236\)](#)

31. [Purchase](#) from Sutphen Corporation (Thomas Sutphen, President) for two (2) replacement 75' ladder trucks, and one (1) replacement 100' ladder truck per Houston-Galveston Area Council (HGAC) Contract for use by the Fire Department, \$3,089,181.75.

[\(Council Communication No. 18-221\)](#)

32. [Civil](#) Service Entrance lists for Buyer and Engineering Technician.
33. [Authorizing](#) Finance Director to draw checks on registers for the weeks of May 7 and 14, 2018; to draw checks for the bills of the Des Moines Municipal Housing Agency for the weeks of May 7 and 14, 2018; and to draw checks for biweekly payroll due on May 11, 2018.

**ORDINANCES - FINAL CONSIDERATION**

- 34. [Vacation](#) of portions of Grand Avenue right-of-way adjoining 665 Grand Avenue.

**ORDINANCES - SECOND CONSIDERATION**

- 35. [Amending](#) Chapter 98 of the Municipal Code regarding solid waste charges for collection services and to clarify language regarding administrative hearings.

\* \* \* \* \* END CONSENT AGENDA \* \* \* \* \*

**ORDINANCES - FIRST CONSIDERATION**

- 36. [Amending](#) Chapter 114 of the Municipal Code regarding regulation of parking meters.

[\(Council Communication No. 18-225\)](#)

- (A) [Final](#) consideration of ordinance above (waiver requested by City Traffic Engineer), requires six votes.
- (B) [Establishing](#) parking meter rate and time zones within the parking meter and resident permit parking district.

- 37. [Amending](#) Chapter 102 of the Municipal Code to allow vehicle impact protection devices as encroachments.

[\(Council Communication No. 18-230\)](#)

- (A) [Final](#) consideration of ordinance above (waiver requested by the City Manager), requires six votes.
- (B) [Setting](#) date of hearing on consideration of License Agreement with Des Moines Performing Arts to allow for vehicle impact protection devices within City street right-of-way, (5-21-18).

- 38. [Amending](#) Chapter 18 of the Municipal Code regarding fowl.

[\(Council Communication No. 18-241\)](#)

- (A) [Final](#) consideration of ordinance above (waiver requested by the City Manager), requires six votes.

## COMMUNICATIONS/REPORTS

39. [From](#) Allen Hansen, Spotfree Car Wash, requesting City Council initiation of vacation of alley right-of-way adjoining 1437 E. 14<sup>th</sup> Street.

## APPROVING

40. [Review](#) of Zoning Board of Adjustment decision granting use variance to allow outdoor storage of inoperable vehicles as part of a towing contractor business located at 109 E. 28<sup>th</sup> Street, subject to conditions. **(Choose one alternative A, B or C)**

[\(Council Communication No. 18-218\)](#)

- (A) The City Council remands the Decision and Order to the Zoning Board of Adjustment for further study. The effective date of the Board's decision will be deferred for 30 days from the date of this remand.
- (B) The City Council takes no action to review the Decision and Order. The decision of the Board will become final on May 26, 2018.
- (C) The City Council declines to remand the decision to the Zoning Board of Adjustment. The decision of the Board becomes final on this date.
41. [Review](#) of Zoning Board of Adjustment decision granting a variance from separation requirement to allow sales of alcoholic liquor, wine and beer at 4028 E. 14<sup>th</sup> Street, subject to conditions. **(Choose one alternative A, B or C)**

[\(Council Communication No. 18-219\)](#)

- (A) The City Council remands the Decision and Order to the Zoning Board of Adjustment for further study. The effective date of the Board's decision will be deferred for 30 days from the date of this remand.
- (B) The City Council takes no action to review the Decision and Order. The decision of the Board will become final on May 26, 2018.
- (C) The City Council declines to remand the decision to the Zoning Board of Adjustment. The decision of the Board becomes final on this date.



42. Items regarding the Gray's Station Development at 1300 Tuttle Street:

[\(Council Communication No. 18-240\)](#)

- (A) [Communication](#) from the Plan and Zoning Commission regarding approval of Preliminary Plat "Gray's Station Plat 1".
- (B) [Approving](#) "Gray's Station Phase 1" PUD Development Plan.
- (C) [Communication](#) from the Plan and Zoning Commission regarding approval of a request from Hubbell Development Services (developer) for a major Preliminary Plat "Linc" on property located at 210 and 310 SW 11<sup>th</sup> Street, to allow the property to be subdivided for two development parcels and two parcels to be dedicated for public street right-of-way.
- (D) [Approving](#) Conceptual Development Plans for the Linc, The Townhomes in Gray's Station Plat 1 and the related Raccoon River Bridge; and conditional approval of the Conceptual Development Plan for the Gray's Station Regional Wetland Amenity/Reconstructed Stormwater Basin.

43. [Authorization](#) to proceed with acquisition of the necessary property interests for the Fleur Drive Reconstruction – George Flagg Parkway to Watrous Avenue Project.

[\(Council Communication No. 18-232\)](#)

**HEARINGS (OPEN AT 5:00 P.M.) (ITEMS 44 THRU 54)**

44. [On](#) conveyance of City-owned property at the northwest corner of 16<sup>th</sup> Street and Day Street to Madden Construction, Inc. for construction of a new, affordable single-family home, \$4,000.

[\(Council Communication No. 18-226\)](#)

- (A) [First](#) consideration of ordinance above.
- (B) [Final](#) consideration of ordinance above (waiver requested by the applicant), requires six votes.

45. [On](#) conveyance of City-owned property at the northwest corner of Vermont Street and Indiana Avenue to KOK Vermont Street, LLC for construction of a new high cube warehouse containing approximately 60,000 square feet, \$210,000.

[\(Council Communication No. 18-223\)](#)

46. [On](#) request from 1350 E. Washington, LLC to rezone property at 1350 E. Washington Avenue from "R1-60" (One-Family Low-Density Residential) to Ltd. "R-3" (Multiple-Family Residential) to allow the existing building to be converted to a multi-family dwelling, subject to conditions.
- (A) [First](#) consideration of ordinance above.
  - (B) [Final](#) consideration of ordinance above (waiver requested by the applicant), requires six votes.
47. Items regarding request from Kenyon Hill Ridge, LLC for property at 5066 NE 23<sup>rd</sup> Avenue, (Easton Blvd.), for development of approximately 13.38 acres for 45 single-family dwellings, 10.14 acres for 50 single-family semi-detached dwellings and 5.23 acres for three (3) 3-story multiple-family dwellings with up to 90 units:
- (A) [Amend](#) the existing PlanDSM: Creating Our Tomorrow Plan future land use designation to designate areas A and B as Low-Density Residential and to designate Area C as Low-Medium Density Residential. **(Choose alternative A to approve or B to continue to May 21, 2018 Council Meeting)**
  - (B) [Request](#) to rezone the property from "A-1" (Agricultural) to "PUD (Planned Unit Development), and approval of a PUD Conceptual Plan "Ruby Rose Ridge". **(Choose alternative A to approve or B to continue to May 21, 2018 Council Meeting)**
  - (C) [First](#) consideration of ordinance above.
48. [On](#) request from Phonevilay Boun (owner) to rezone property located at 1625-1645 E. Diehl Avenue, 1540-1580 Hart Avenue and 1545-1575 Hart Avenue from "R1-80" (One-Family Residential) to "R1-60" (One-Family Low-Density Residential) to allow subdivision of the property with 60-foot wide single-family dwelling lots. **(Continued from April 9<sup>th</sup> Council meeting)**
- (A) [First](#) consideration of ordinance above.
  - (B) [Final](#) consideration of ordinance above (waiver requested by applicant), requires six votes.

49. Items regarding request from Smith Home Restorations, LLC for property at 1107 24<sup>th</sup> Street, to allow for use of property as a three-unit multiple-family dwelling (**Plan and Zoning Commission recommends DENIAL**):
- (A) [Amend](#) the existing PlanDSM: Creating Our Tomorrow Plan future land use designation from Low-Medium Density Residential to High-Density Residential. **(Six affirmative votes are required for approval)**
  - (B) [Hearing](#) to rezone the property from “R1-60” (One-Family Low-Density Residential) to “R-4” (Multiple-Family Residential). **(Choose alternative A to DENY or B to continue to May 21, 2018 Council Meeting)**
50. [On](#) request from FDM Development Partnership, LLLP for review and approval of a 2nd Amendment to the West Point South PUD Conceptual Plan on property located at 6700 Chaffee Road, to allow a revised design for refuse collection container screening enclosures changing the material from masonry to wood.
51. [On](#) approval of corrected Quit Claim Deed and approval of Supplemental Agreement No. 2 with the United States Army Corps of Engineers for assignment to the Westside Equalization Basin and Pump Station Easement at Prospect Park to the Des Moines Metropolitan Wastewater Reclamation Authority (WRA).
52. [On](#) 2018 ADA Sidewalk Ramp Program – Contract 1: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating lowest responsible bidder as Ti-Zack Concrete, Inc. (Steve J. Rutt, President), \$845,320.

[\(Council Communication No. 18-227\)](#)

- (A) [Approving](#) contract and bond and permission to sublet.

53. [On](#) 2018-2019 HMA Pavement Scarification and Resurfacing: Resolution approving plans, specifications, form of contract documents, Engineer’s estimate and designating lowest responsible bidder as Grimes Asphalt and Paving Corporation (Kurt Rasmussen, President), \$885,168.

[\(Council Communication No. 18-233\)](#)

- (A) [Approving](#) contract and bond and permission to sublet.

54. On Forest Avenue Bridge Rehabilitation: Resolution approving plans, specifications, form of contract documents, Engineer's estimate and designating lowest responsible bidder as Cramer and Associates, Inc. (Robert Cramer, President/CAO), \$237,348.

(Council Communication No. 18-228)

- (A) Approving contract and bond, and permission to sublet.

\*\*\* END OF HEARINGS AT \_\_\_\_\_ PM \*\*\*

MOTION TO ADJOURN.

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